

REMARKS

Reconsideration is requested.

Claims 1-12 and 19 have been canceled, without prejudice. Claims 13, 18 and 20-24 are pending. The Examiner's allowance of claims 15 and 18 is acknowledged with appreciation. See, page 1 of the Office Action dated December 24, 2003 (Paper No. "20031219").

To the extent not obviated by the above, the Section 112, second paragraph, rejection of claims 13, 14, 16, 17 and 19-24 is traversed. Reconsideration and withdrawal of the rejection are requested in view of the following comments.

The phrase "when present" has been deleted from claims 16 and 17.

The recited "halogen-substituted amino" is submitted to be well recognized by those of ordinary skill in the art. The Examiner is requested to see, for example, the Patent Office Classification System wherein halomines are classified, for example, in Class 532, Subclass 114. The recited and objected-to term will be well recognized by one of ordinary skill in the art.

While not believed to be required, the claims have been amended to recite optional substituents in response to the Examiner's comments in paragraph (iii) on page 2 of the Office Action dated December 24, 2003. Support for the substituents of the amendments may be found, for example, at page 18, lines 4-8 and page 22, lines 10-11 of the specification. No new matter has been added.

The objected-to terms "cycloalkly", "heteroaryl" and "heterocyclo" are well recognized by those of ordinary skill in the art. The applicants will be happy to provide a list of U.S. patents for citing the same if required by the Examiner. These terms are well

known by those of ordinary skill in the art as well as those versed in reviewing patents and patent claims. The claims submitted should be definite in this regard.

The recitation of "heterocycloalkyl" is also similarly well known by those of ordinary skill in the art. The Examiner is requested to see, for example, U.S. patent application publication Nos. 2002-0035263 and 2003-0124157, as well as U.S. Patent No. 6,656,450, as an example of the appreciation of one of ordinary skill in the art with regard to the objected to recitation. The undersigned believes the Examiner should have access to these patent publications however copies of the same could be submitted upon the Examiner's further request.

With regard to the Examiner's comments in paragraph (vii) on page 3 of the Office Action dated December 24, 2003, claim 19 has been canceled, without prejudice. The applicants note however that "extensive experimentation" would not be required as the application clearly teaches means for measuring and testing PARP inhibition. Those of ordinary skill in the art at the time of the present invention were similarly well versed in means of measuring and identifying PARP inhibition.

Claim 13 has been amended to indicate that at least one of R₁, R₂, R₃ and R₄ is not hydrogen. Such a short-hand notation is well recognized as being acceptable notation to exclude from the applicants claimed invention combination of the components which may be described in the art, such as in the art cited by the Examiner in the Office Action dated December 24, 2003. No new matter has been added.

Withdrawal of the Section 112, second paragraph, rejection of the claims is requested.

The Section 112, first paragraph, rejection of claims 19, 20 and 22-24 is traversed. As the Examiner has incorporated the rejection of the prior Office Action into the comments of the Office Action of December 24, 2004, in this regard, the applicants believe it appropriate to similarly incorporate by reference the applicant's comments of pages 28-31 of the Amendment dated October 27, 2003. The applicants believe that the Examiner's position may be contrary to the prior grant of patents listed, for example, on pages 30-31 of the applicant's Amendment dated October 27, 2003, and to the extent the current Examiner's position is contrary to the prior Action by the Patent Office, the applicants believe the Examiner is required to obtain Group Director signature and approval of such a contrary position. Clarification as to the Group Director's position in this regard is requested.

Reconsideration and withdrawal of Section 112, first paragraph, rejection of claims 19, 20 and 22-24, are requested.

The Section 112, first paragraph, rejection of claim 13 stated on page 5 of the Office Action dated December 23, 2003, is believed to be obviated by the above amendments. Specifically, the negative limitation of the claim is, as noted, short-hand notation for otherwise acceptable separate listing of all the possibilities for the defined substituents wherein the negative limitation would be met. Reconsideration and withdrawal of the Section 112, first paragraph, rejection of claim 13 is requested.

The Rule 75 objection of claim 22 is obviated by the above wherein claim 19 has been canceled, without prejudice. Withdrawal of the Rule 75 objection of claim 22 is requested.

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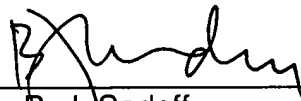
The Section 102 rejection of claims 16 and 17 over Itoh et al (Chemical and Pharmaceutical Bulletin (1974), 22 (6), 4131-2), is believed to be obviated by the above amendments. Reconsideration and withdrawal of the Section 102 rejection of claims 16 and 17 are requested.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned if anything further is required in this regard.

Respectfully submitted,

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By: _____


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